

CHAPTER 163. CERTIFICATE FAR PART 145 FOREIGN REPAIR STATION

SECTION 1. BACKGROUND

1. PROGRAM TRACKING AND REPORTING SUBSYSTEM (PTRS) ACTIVITY CODES.

A. Maintenance: 3230

B. Avionics: 5230

3. OBJECTIVE. This chapter provides guidance for evaluating an applicant for a foreign repair station certificate.

5. THE CERTIFICATION PROCESS. The following certification process provides for a continuous interaction, from the applicant's initial inquiry to the FAA's certificate issuance or denial. It ensures that the applicant's proposed programs, systems, and intended methods of compliance are thoroughly reviewed, evaluated, and tested by use of the following five phase process:

NOTE: For the purposes of this chapter, "district office" refers to the office performing the certification, to include International Field Offices, as applicable.

A. Preapplication Phase.

(1) Preapplication Statement of Intent (PASI), FAA Form 8400-6.

(a) The PASI will be used by the Manager, Flight Standards Division or designee, to evaluate the complexity of the proposed operation. This allows the establishment of the certification team to be based on the complexity of the certification. A Certification Project Manager (CPM) will be designated as the principal spokesperson for the FAA during the certification process.

(b) An applicant should conduct a thorough review of the appropriate regulations and advisory material to gain meaningful insight into personnel, facility, equipment, and documentation requirements. As a result of this review, the applicant must be able to address, in the PASI, how these requirements will be met.

NOTE: Submittal of the PASI by the applicant shows an intent to initiate the certification process.

(2) Preapplication meeting. The preapplication meeting should be held in the district office. This will allow the applicant to become familiar with the assigned FAA personnel.

(3) Application for Repair Station Certificate and/or Rating, FAA Form 8310-3. During the preapplication meeting, the applicant should be instructed on how to complete the application.

(4) Formal application attachments. During the preapplication meeting requirements for the application attachments should be discussed. This discussion should include the following:

(a) Inspection procedures manual. The applicant should be encouraged to use Advisory Circular (AC) 145-3, Guide for Developing and Evaluating Repair Station Inspection Procedures Manuals, as amended, for guidance in developing the manual. The manual should allow the user to understand its content without further explanation and must not contradict any regulatory requirements.

(b) Letter of compliance. The letter of compliance will ensure that all applicable regulatory requirements are addressed during the certification process. This is done by listing each applicable FAR section, in numerical sequence. After each listed regulation, there must be a brief narrative or specific reference to a manual/document that describes how the applicant will comply with that regulation. The letter of compliance must be reviewed to ensure that the applicant has a clear understanding of the regulation and that the proposed method of compliance meets the intent of the regulation.

NOTE: If the inspection procedures manual references sections of the applicant's existing company quality control manual there must be a corresponding cross reference list. This list references FAR sections to corresponding

manual pages and can be used in place of a letter of compliance.

(c) Additional certification information and data requirements. : The foreign repair station must submit the following additional information and data for original certification:

- A letter stating the reasons for requesting foreign repair station certification
- Two copies of a suitably bound brochure including all of the requirements listed in FAR Section 145.11
- Evidence that the prescribed fees, per FAR Part 187, Appendix A, have been paid
- If available, a copy of the repair station certificate issued by the country where the station is located

(5) Personnel certificate requirements.

(a) Personnel requirements for foreign repair stations differ from domestic requirements in that airman certificates are not required for supervisory or inspection positions.

(b) If no certificate is held from either the U.S. or the country where the station is located, the determination of performance qualifications is made by using oral or practical tests, or any method acceptable to the Administrator.

(6) Supervisory and final inspection personnel requirements. : Personnel qualifications for supervisory and final inspection personnel include the following:

(a) The ability to understand the following:

- Applicable FAA regulatory requirements
- FAA Airworthiness Directives (AD)
- Maintenance and service instructions for the items to be worked on
- U.S. Type Certificate (TC) data sheets

(b) The ability to read, write, and understand English

B. Formal Application Phase. : To begin the Formal Application Phase the team will receive the application and attachments. As a rule, the team will meet with the applicant after receiving the formal application package. All questions about the proposed operation, the formal application, and attachments should be resolved at this time. The meeting should consist of the certification team members and all key

management personnel from the applicant's organization.

C. Document Compliance Phase. : In this phase, the application is thoroughly reviewed for approval or disapproval, and the manual and related attachments are reviewed for acceptance or rejection. This review ensures both conformity to the applicable regulations and safe operating practices. This phase is done in the district office by the certification team.

D. Demonstration and Inspection Phase. : In this phase the certification team ensures that the applicant's proposed procedures are effective and that facilities and equipment meet regulatory requirements. The CPM must decide if demonstrations will be required.

E. Certification Phase.

(1) Once the applicant meets the regulatory requirements of FAR Part 145, the certification team will issue the repair station certificate and operations specifications with the appropriate ratings.

(2) Certificate durations. : Foreign repair station certificates expire 12 months after initial certification. A certificate can be renewed for up to 24 months if:

- The repair station meets regulatory requirements for renewal
- The application is submitted prior to the certificate expiration date
- Evidence that the prescribed fees, per FAR Part 187, Appendix A, have been paid

7. FAR PART 145 FOREIGN REPAIR STATION UNDER CONTRACT TO A U.S. CARRIER/FAR PART 129 OPERATOR AT A LOCATION OTHER THAN THE REPAIR STATION FACILITY.

A. U.S. air carriers and FAR Part 129 operators occasionally encounter a need for maintenance at stations where the frequency and scope of that maintenance does not warrant staffing and equipping the station for its accomplishment. This situation may be further complicated by prohibition against U.S. mechanics working in foreign countries by the government of those countries.

B. In an effort to provide those services while reducing the administrative effort of the FAA and industry, procedures were developed to certificate these activities for specific contracted air carriers. This certificate may be issued to a foreign air carrier, manufacturer, or other maintenance organization in accordance with FAR Part 145, Subpart C.

(1) When a Flight Standards District Office (FSDO) is notified by an air carrier of the need to use the services of a certificated repair station at a place other than the location of the station, the repair station's Certificate Holding District Office (CHDO) must be notified. Coordination between the two offices must be established to ensure that there will be no duplication of effort. Whichever office performs the inspection, the assigned Aviation Safety Inspector (ASI) must accomplish the following:

- Determine if the air carrier has the necessary procedures, as required by FAR Section 121.369, to ensure that the maintenance performed by the repair station is performed in accordance with the air carrier's manual
- Ensure that the repair station personnel are trained and qualified to perform the required work in accordance with the air carrier's manual procedures
- Perform a facilities inspection to ensure that the facilities, at the requested location, are satisfactory per the guidelines found in Vol. 2, Ch. 165, Evaluate FAR Part 145 Repair Station's Facilities and Equipment

NOTE: The Air Carrier District Office must provide a copy of the contract or provide the necessary details of the contract to the repair station's CHDO.

(2) If similar work is already being done at a remote location on like equipment and meets the conditions for contractual work as described in this chapter, the existing operations specifications can be issued/amended without further demonstration of ability or submittal of an application.

(3) When a determination has been made that a facility is qualified to perform the work contracted for, the repair station's CHDO will incorporate a statement in the repair station's operations specifications stating the geographic location(s) in which the repair station is to exercise the privileges of its certificate.

NOTE: Results of the inspection must be expeditiously coordinated with all involved parties.

9. SPECIALIZED SERVICE RATINGS. An applicant may request a Specialized Service Rating, e.g., emergency equipment, non-destructive inspections, welding, aircraft static testing for radio shops, etc. The repair station's operations specifications must contain the military or civilian specification used in performing the specialized service. This specification may be either a civil or military one that is currently used by industry and approved by the Administrator.

11. WORK PERFORMED AWAY FROM STATION WITHIN THE COUNTRY OF LOCATION.

A. A station may perform work at a place other than its fixed location by moving facilities, material, equipment and technical personnel to perform specific maintenance functions such as the following:

- Testing of altimeter systems
- Non-Destructive Inspections (NDI)
- Responding to special circumstances, such as an Aircraft On the Ground (AOG) at an isolated airport requiring repairs to allow it to be flown safely to the operator's main base or to a repair station

NOTE: Continuous operation at a permanent facility other than the station's fixed location must not occur.

B. Procedures for performing and inspecting this work must be included in the repair station manual. The certificate holder must perform the work in the same manner as when performed at the parent facility, to include using all of the following:

- Necessary personnel
- Required technical data
- Required materials
- Required equipment

NOTE: The address shown on the repair station's certificate is considered the station's fixed location.

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SECTION 2. PROCEDURES

1. PREREQUISITES AND COORDINATION REQUIREMENTS.

A. Prerequisites:

- Knowledge of the regulatory requirements of FAR Part 145
- Successful completion of the Airworthiness Inspectors Indoctrination Course or previous equivalent
- Previous experience with certification or surveillance of FAR Part 145 Foreign Repair Stations

B. Coordination. This task requires coordination with the following:

- Certification team members
- Regional and district offices, as appropriate
- U.S. Embassy and the Foreign Civil Air Authority (FCAA) of the country involved

3. REFERENCES, FORMS, AND JOB AIDS.

A. References:

- FAR Parts 43, 45, 121, 125, and 187
- AC 145-3, Guide for Developing and Evaluating Repair Station Inspection Procedures Manuals, as amended
- Order 8300.10, Airworthiness Inspector's Handbook, Vol. 2, Chs. 161, 164, and 165

B. Forms:

- FAA Form 8000-4, Air Agency Certificate
- FAA Form 8000-4-1, Repair Station Operations Specifications
- FAA Form 8310-3, Application for Repair Station Certificate and/or Rating
- FAA Form 8400-6, Preapplication Statement of Intent

C. Job Aids. None.

5. PREAPPLICATION PHASE.

A. Respond to the Initial Inquiry. Discuss with the applicant the following subjects:

(1) The necessary technical expertise required by the applicant's proposed organization, to include the following:

- Aviation-related experience
- Proposed organizational structure
- Knowledge of the specific maintenance functions to be performed

(2) The ratings required for the type of work to be accomplished

(3) The requirements for sufficient personnel to meet the demands of the proposed repair station

(4) Facility requirements for the ratings sought, to include:

- The need for climate-controlled conditions
- The size of the facility
- Appropriate test equipment
- Special tools

(5) The necessity of having current technical data available prior to certification. Technical data will include the following:

- Federal Aviation Regulations
- AD's
- TC data sheets, if applicable
- AC's, as required
- Processes, e.g., maintenance processes
- Manufacturer's approved service manuals, instructions, and Service Bulletins

NOTE: Appliance manufacturer's maintenance manuals or instructions, though not specifically approved by the FAA, are considered to be in compliance with FAR Sections 43.7, 65.95, 121.379(b), 135.437(b), and 145.51.

B. Review the Request for Validity.

(1) Instruct the applicant to complete and submit both a letter stating the reasons for opening a repair station and two copies of a suitably bound brochure. The brochure must include the following:

- A physical description of the facilities

- Photographs of the facilities
- A description of the proposed inspection system with an organizational chart
- A list, including names and titles, of all managing and supervisory personnel
- A list of services obtained under contract, if any, with the names of each contractor and the types of service provided

(2) Upon receipt of the letter and brochure, the district office must accomplish the following:

(a) Coordinate with the regional office for coordination with AFS-5, to determine if the request for a repair station certificate is necessary, per FAR Sections 145.71 and 145.73

(b) Coordinate with the FCAA of the country involved to determine the acceptability of certification

(3) If the request is deemed invalid, stop the process at this point and notify the applicant.

(4) If the request is deemed valid, accomplish the following:

(a) Furnish a PASI to the applicant with instructions to complete and submit it to the district office in whose area the parent facility is located

(b) Instruct the applicant to submit proof of payment of the fees prescribed by FAR Part 187

(c) Coordinate with the U.S. Embassy in the country involved

C. Initiate the Certification Process.

(1) Upon receipt of a completed and signed PASI from the Region, the assigned district office must accomplish the following:

(a) Forward one copy of the PASI to the Manager, Flight Standards Division while retaining the original in the district office.

(b) Coordinate with the Manager, Flight Standards Division or designee to decide the control of the following:

- Supervision of the certification process
- Makeup of the certification team

(2) The designated certification team will process the PASI as follows:

(a) Obtain a precertification number from AFS-620. A final certificate number may be requested instead of a precertification number.

(b) Check the “Information only” block on the PASI and enter the date the PASI was forwarded to the Manager, Flight Standards Division

(c) Enter “Proceeding with formal certification” in the Remarks section and show the precertification or final certificate number

(3) The CPM will contact the applicant to arrange a preapplication meeting.

D. Conduct a Preapplication Meeting. Meet with the applicant to discuss questions, if any, concerning the certification process, regulatory requirements, the formal application and attachments, etc. Accomplish the following during the meeting(s):

(1) Discuss the regulations applicable to the proposed maintenance operation

(2) Provide the applicant with the following material:

- A copy of AC 145-3
- A copy of FAA Form 8310-3

(3) Inform the applicant that a formal application package for a foreign repair station certificate must contain the following material:

- A completed FAA Form 8310-3
- Two copies of the Inspection Procedures Manual
- A letter of compliance
- A letter indicating when facilities and equipment will be ready for formal inspection
- An application for repairman certificate and letter of recommendation, if applicable
- When a Limited Rating is requested, the make and model of the particular item(s) to be maintained and the nature of the work to be performed
- For approval of a Class 2 Propeller Rating or a Class 1, 2, or 3 Accessory Rating, two copies of a list, by type or make, of the propeller or accessory
- When a Specialized Service Rating is requested, a copy of the approved specification for the work to be performed

7. FORMAL APPLICATION PHASE.

A. Receive the Formal Application. Ensure that all documents have been submitted and are complete.

B. Evaluate the Application Package. Based on the initial survey of the application package, a decision

must be made whether or not to continue with the certification process.

C. Conduct an Application Meeting. Any open questions concerning the package must be answered before proceeding to the next phase. This should be done in the most effective way possible, e.g., meetings or correspondence.

9. DOCUMENT COMPLIANCE PHASE.

A. Review the Application Package. Review the content of each submitted document for regulatory compliance. The documents to be reviewed include:

- A completed FAA Form 8310-3
- Inspection Procedures Manual (see Vol. 2, Ch. 164, Evaluate FAR Part 145 Inspection Procedures Manual/Revision)
- The letter of compliance
- The list, by type or make, of the propeller or accessory to be worked on for a Class 2 Propeller Rating or a Class 1, 2, or 3 Accessory Rating

B. Document any Deficiencies. If deficiencies are found in any document, return it to the applicant with a letter outlining the deficient areas. Inform the applicant that the certification process will not continue until all deficiencies are resolved. If the certification process is stopped, the involved U.S. Embassy, FCAA, and Flight Standards Division Manager must be informed.

11. DEMONSTRATION AND INSPECTION PHASE.

A. Perform a Housing and Facility Inspection. During the Demonstration and Inspection Phase, inspect the repair station facilities to ensure that work being done is protected from weather elements, dust, and heat. Ensure that workers are protected to the point that the quality of their work will not be impaired (see Vol. 2, Ch. 165, Evaluate FAR Part 145 Repair Station's Facilities and Equipment). Additionally, inspect the following:

(1) The inspection system, refer to Vol. 2, Ch. 164, to ensure the following:

- Employees are familiar with and capable of performing their assigned duties
- Facilities can support manual procedures

(2) Maintenance recordkeeping system, to ensure compliance with FAR Section 145.79

(3) The system for reporting serious defects or unairworthy conditions, to ensure compliance with FAR Section 145.79

B. Evaluate the Maintenance Organization. Ensure that the number of personnel is sufficient to satisfy the volume and type of work to be performed, as required by FAR Section 145.75.

C. Analyze any Deficiencies.

(1) If deficiencies are noted, notify the applicant in writing. If appropriate, meet with the applicant to review deficiencies in detail.

(2) Corrective action must be taken and the CPM notified in writing, by the applicant, in order for the certification process to continue. Each deficiency and corrective action must be fully documented and recorded in the certification file.

13. CERTIFICATION PHASE.

A. Prepare the Certificates. When the applicant has met all regulatory requirements, the CPM will accomplish the following:

(1) Complete blocks 6-9 of FAA Form 8310-3, to show the following:

- Findings and recommendations
- Any remark or discrepancy noted during inspection
- Date of inspection
- CPM's office designator and signature

(2) Prepare FAA Form 8000-4 which will be signed by the district office manager

(3) Prepare FAA Form 8000-4-1. The operations specifications showing the limitations to be issued will be signed by the appropriate Airworthiness ASI. These limitations may be listed on separate operations specifications pages.

NOTE: When the country where the station is located has issued a certificate, the FAR Part 145 certificate should not exceed that certificate's ratings and limitations.

NOTE: When the repair station applicant does seek ratings and limitations over and above the certificate issued in the country where the station is located, ensure that the applicant has all of the supporting data and meets all relevant Federal Aviation Regulation requirements.

B. Prepare the Certification Report. Ensure that a certification report is prepared. The report must include the name and title of each ASI on the certification

team. The report is signed by the CPM and contains at least the following documentation:

- A copy of the PASI
- The completed FAA Form 8310-3
- The letter of compliance
- A copy of FAA Form 8000-4 issued
- A copy of the issued operations specifications

15. TASK OUTCOMES.

A. File PTRS Data Sheet.

B. Completion of this task will result in the following:

(1) For a successful certification:

(a) Issuance of a certificate and operations specifications

(b) Notification of issuance to the following:

- Applicant
- U.S. Embassy in the country involved
- FCAA of the country involved

(2) For an unsuccessful certification, due to either applicant termination or the failing of an inspection, letters describing the situation to the following:

- Applicant
- Regional office
- U.S. Embassy in the country involved
- FCAA of the country involved

C. Distribute the Certification Report. Distribute the completed report as follows:

- Retain the original certification report in the district office
- Forward a copy of the certification report to the Manager, Flight Standards Division

D. Document the Task. File all supporting paperwork in the certificate holder/applicant's office file and update the Vital Information System.

17. FUTURE ACTIVITIES.

A. Transfer of Activities. The district office must ensure that there is an orderly transition from the certification process to certificate management.

B. Surveillance Scheduling. When certification is complete, surveillance scheduling must be done for certificate renewal.